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SENSITIVE

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SUBJECT: NEW LAW ON ELECTION TO GENGESHES

¶1. (U) Sensitive but unclassified. Not for public Internet.

¶2. (SBU) SUMMARY: At the end of April, the Government of Turkmenistan published a revised election law specific to the lowest level of governance, the Gengesh, or local council. Most of the revisions were done to bring the law into conformance with the 2008 constitution and the Mejlis (parliament) election law from late 2008. A few minor changes appear to give Gengeshes a little more independence in how they prepare for elections. By and large, there are no indications of significant changes in how government will function on the lowest, least empowered level. END SUMMARY.

¶3. (U) The April 27 issue of Neytralniy Turkmenistan published the text of the revised law regarding Local Council (Gengesh) elections.

The original law dates from 2002 and was in need of revision to bring it into conformance with the 2008 revised national constitution. Gengeshes are councils at the village level or below, and are the most visible government representation for rural residents. They are empowered to make decisions regarding local issues and can address community concerns. Larger issues, however, must be directed to provincial governors' offices.

¶4. (U) Some of the revisions are specific amendments that make the law compatible with other election laws as well as with the 2008 constitution. For example, there is new text that specifies the voting rights of citizens in sanatoria, health resorts, medical institutions and detention centers. New text has also been added -- similar to the Mejlis election law -- to address the transparency of election commission activities, regulate the role of national election observers, and regulate the role of the media. The revised law shortens the term of those elected to a Gengesh from five years to three, and lays the groundwork for at least two candidates to run for each office. As in the Mejlis election law, candidates can be nominated by political parties, registered public organizations, or citizen initiative groups with a minimum of 50 participants.

¶5. (U) The revised law now provides guidance on forming election districts specifically for Gengesh elections. It states that from 5-15 election districts with an equal number of voters can be formed for the purpose of Gengesh elections in cities, villages and other small population centers. (NOTE: There is no language in the law that identifies the territory within which the 5 to 15 districts would be formed, however. END NOTE.) There must be at least 11

voters in each election district.

¶6. (U) The Central Election Commission of Turkmenistan, provincial election commissions, district election commissions, city and village election commissions coordinate with each other in organizing Gengesh elections, according to the revised law. The previous version of the law only required election commissions at the district level or below to work together to organize an election. The revised law states that the Central Election Commission of Turkmenistan forms provincial election commissions. They, in turn, determine the composition of district and city election commissions. At the rural level, local Gengeshes are empowered to determine who sits on territorial (rural) election commissions.

¶7. (SBU) COMMENT: Overall, the law appears largely to have been revised to make it compatible with other Turkmen legislation. The fact that Gengeshes have the right to compose their own election commissions is a positive step, but all other aspects of their activity are no doubt guided by the national Central Election Commission. The next Gengesh election -- the timing of which will be decided by the Mejlis -- will likely give us the first insights into how the new law will be interpreted. END COMMENT.

MILES